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6
7 UNITED STATES BANKRUPTCY COURT
8 EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION
9

10 In re:

11 NICHOLAS ANTHONY SOARES,

12 Debtor.

Case No. 10-61331-B-12

Chapter 12

D.C. No. PLF-2

Date: December 16, 2010

Time: 3:00 PM

Place: Dept. B, Ctrm. 12, 5th Floor

United States Courthouse

2500 Tulare St., Fresno, California

Judge: Hon. W. Richard Lee

16 **PROOF OF SERVICE BY MAIL**

17 I, the undersigned, certify that I am, and at all times hereinafter mentioned was, not
18 less than 18 years of age and not a party to the above-captioned matter. I further certify that
19 service of the following documents was made on November 8, 2010 in the manner
described below:

20 **Documents Served**

21 MOTION TO VALUE COLLATERAL OF RABOBANK N.A.

22 NOTICE OF MOTION TO VALUE COLLATERAL OF RABOBANK N.A.

23 DECLARATION OF NICHOLAS ANTHONY SOARES IN SUPPORT OF MOTION TO
24 VALUE COLLATERAL OF RABOBANK N.A.

1 **Manner of Service**

2 X MAIL SERVICE: By enclosing the documents in a sealed envelope, with
3 postage fully pre-paid affixed thereto, and depositing the envelope with the
4 United States Post Office for service by regular, first class United States mail
addressed to:

5 Office of the United States Trustee M. Nelson Enmark Nicholas Soares
6 United States Courthouse Chapter 12 Trustee 276 7th Avenue
2500 Tulare Street, Suite 1401 3855 North West Avenue, Suite 108 Kingsburg, CA 93631
Fresno, California 93721-1326 Fresno, California 93705

7
8 FACSIMILE: By faxing the document(s) to the following person(s) at the
following fax number(s):

9
10 E-MAIL: By e-mailing the document(s) to the following person(s) at the
following e-mail address(es):

11
12 PERSONAL SERVICE: By leaving the document(s) with the following
person(s) or with an officer or agent of the following person, as described
13 below:

14 X CERTIFIED MAIL: By enclosing the documents in a sealed envelope, with
15 postage fully pre-paid affixed thereto, and depositing the envelope with the
United States Post Office for service by certified United States mail, return
receipt requested, addressed to:

16 Rabobank N.A.
17 Attn: Ronald Blok, CEO
1448 Main Street
18 El Centro, CA 92243

19 OVERNIGHT SERVICE: By enclosing the documents in a sealed envelope
20 and depositing the envelope, fully pre-paid, with a carrier for delivery on the
next business day, addressed to:

21 I declare under penalty of perjury under the laws of the State of California that the
22 foregoing is true and correct and that this Proof of Service was executed on November 8,
2010 at Fresno, California.

23 /s/ Laurel L. Guenther
24 LAUREL L. GUENTHER

Key demographic information as of October 28, 2010		
Rabobank, National Association		
1448 Main Street El Centro, CA 92243		
FDIC Certificate #:	23364	Date Established: 3/19/1981
Bank Charter Class:	National Bank	Date of Deposit Insurance: 3/19/1981
Primary Federal Regulator:	Office of the Comptroller of the Currency	More Demographic Information →
Primary Internet Web Address:	http://www.rabobankamerica.com:80/	
		Generate History →

Information Gateway;

ID Report Selections:

[Assets and Liabilities](#)

Report Date:

[June 30, 2010](#)[Generate Report](#)

-----More Information-----

- | | |
|--|--|
| ① Current List of Offices | ① Bank Holding Company Ownership and Affiliates |
| ① Compare to Peer Group(s) | ① Regional Economic Conditions (FDIC RECON) |
| ① FFIEC Call/TFR Report 9/30/2010 Latest Available | ① Organization Hierarchy from the Federal Reserve System |
| ① FFIEC Uniform Bank Performance Report (UBPR) | ① OCC CRA ratings |
| ① FDIC/OTS Summary of Deposits | ① Consumer Assistance from Primary Federal Regulator |

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Rabobank

Rabobank Management

Rabobank Group is a global organization comprised of a central banking entity, "Rabobank Nederland," which oversees approximately 180 Cooperative Member Banks in the Netherlands; an international banking arm, "Rabobank International;" and several specialized subsidiaries. In the Americas, Rabobank International's leadership team heads three business areas:

- Rabobank International-Americas Region
- Rabo AgriFinance
- Rabobank, N.A.

Rabobank International-Americas Region

Cor Broekhuijse, Executive Vice President and Regional Head for Rabobank International-Americas

Cor Broekhuijse is a member of the Managing Board of Rabobank International, Senior Executive Vice President and Regional Head of the Americas for Rabobank International, headquartered in New York City. Additionally, he is non-executive Chairman of Rabobank N.A., headquartered in El Centro, CA, and of Rabo AgriFinance, Inc., headquartered in St. Louis, MO, as well as the head of the Executive Committee of Rabobank International-Americas region.

From 1994 until August 2001, Broekhuijse was the Chief Executive Officer of the Australian and New Zealand Branches of Rabobank. He is a qualified chartered accountant and started his career at Rabobank Nederland in 1976.

During these years, Broekhuijse held several management positions within the Rabobank organization in the Netherlands. In 1976, he started as account manager, and in 1979 he became head of Co-Financing, followed in 1982 by a move to the position of head of the Agribusiness Department within the Corporate Banking Division. In 1984, he assumed the position of Deputy General Manager of the Corporate Banking Division and in 1992, he was appointed to Deputy General Manager of the International Division. In the latter role he was responsible for developing Rabobank's strategy to become the premiere food and agribusiness bank in the world.

Guillermo Bilbao, Deputy Regional Manager, Rabobank International-Americas and Head of Latin America for Rabobank International

Guillermo Bilbao is Deputy Regional Manager of the Americas for Rabobank International with responsibility for Latin America and Corporate Resources. Bilbao joined Rabobank in 1988, after working as a lawyer in private practice in Madrid and New York, and was General Counsel for Rabobank until June 2005. He became U.S. head of Corporate Resources (Legal, Tax, Compliance, Human Resources, Finance and Corporate Communications) in 2001, and Regional Head of Latin America in 2003. Bilbao is a director of Rabobank's U.S. subsidiaries, Rabobank, N.A. and Rabo AgriFinance, Inc., a director of Rabobank Curacao, N.V., Rabobank Chile, and Mexican financial institution FinTerra S.A. de C.V., and member of the Executive Committee of Rabobank International-Americas region. He is also a director of Latin America Agribusiness Development Corporation.

André Blom, Managing Director and Head of Risk Management for Rabobank International-Americas

André Blom is Managing Director and Head of Risk Management for Rabobank International-Americas. Blom started his career at Rabobank in 1980, and in subsequent years held several management positions within the organization. Blom was transferred to the New York Branch in August 2002, for his first international assignment where his main responsibilities were the risk management activities in Latin America and the retail operations in the United States. Starting July 1, 2005, Blom was appointed Head of Risk Management responsible for all the credit and market risk activities of the bank throughout the Americas region. He is a member of the Executive Committee of Rabobank International-Americas region.

David Dietz, Chief Financial Officer, Rabobank International-Americas

David Dietz is Rabobank International's Chief Financial Officer in the Americas, which includes managing the Finance and Control group. Finance and Control is responsible for head office reporting, regulatory reporting, tax compliance, tax research and planning, management reporting and the In Control project (which includes Sarbanes Oxley and Operational Risk Management). Dietz is a member of the Rabobank International-Americas Executive Committee, Balance Sheet and Risk Management Committee, Audit and Compliance Committee, and New York Complex Transaction Committee.

William (Bill) A. Padula Jr., Senior Vice President and Chief Operating Officer, Rabobank International-Americas

Bill Padula has been with Rabobank for more than 10 years. In addition to his present responsibilities as Head of Operations, Technology and Infrastructure for the Western Hemisphere, he has also been Global Head of Operations for Rabobank International and is a member of the Global Administration Management Committee. He is a member of the boards of Rabobank, N.A. and Rabo AgriFinance, as well as member of the Executive Committee of Rabobank International-Americas region.

William (Bill) Mansfield, Managing Director, Rabobank International-Americas

Bill Mansfield is Head of Global Financial Markets for Rabobank International in the Americas and functional responsibilities for the Origination & Sales team in the Americas. Mansfield is also CEO of Rabo Securities USA Inc., and is a member of the Rabobank International-Americas Executive Committee. Origination & Sales are responsible for providing risk management and structured credit solutions to the bank's corporate customers and select financial institutions. He is a member of the Executive Committee of Rabobank International-Americas region. Mansfield joined Rabobank in 1998 and has 20 years of capital markets experience working at various commercial and investment banks in New York.

Terance (Terry) McKay, Managing Director and Global Head of Structured Finance for Rabobank

Terry McKay brings more than 20 years of financial services experience to the position of global head of Structured Finance for Rabobank. He joined Rabobank in 2002 as Managing Director of Global Structured Finance, and was promoted to head of Global Structured Finance in July 2006. The Structured Finance department creates tailored solutions for corporate clients and financial institutions with complex financial objectives. He is a member of the Executive Committee of Rabobank International-Americas region. He is a certified public accountant, and a licensed attorney in New York and Washington, D.C.

Robert (Bob) S. Bucklin, Managing Director and Chief Corporate Banking Officer, North America

Bob Bucklin is the Managing Director and Chief Corporate Banking Officer for Rabobank International's U.S. and Canada operations, and oversees Rabobank's Mergers & Acquisitions operations throughout the Americas. Bucklin joined Rabobank in 1993 as Senior Vice President and Manager of the Dallas office, and moved to New York in 1994 to assume his position as Chief Corporate Banking Officer. He is a member of the Executive Committee of Rabobank International-Americas region. Bucklin has more than 30 years banking experience. He began his banking career in 1974 with First Chicago.

Rabobank AgriFinance, Inc.

John Ryan, President and Chief Executive Officer

John Ryan joined Rabo AgriFinance as President and CEO on October 1, 2008. Before assuming that role, John served as President & CEO of Farm Credit Canada from 1997 to 2008. Under his leadership, Farm Credit Canada's loan portfolio grew from approximately \$5 billion in 1997 to about \$14 billion in 2007, making it the largest agricultural lender in Canada. During his time with FCC, Mr. Ryan received numerous awards including the International Association of Business Communicators EXCEL award for excellence in business communication. Prior to joining Farm Credit Canada, Mr. Ryan spent 25 years with the Business Development Bank of Canada where he held several positions and ultimately served as the Chief Operating Officer.

Rabobank, N.A.

Ronald Blok, Chief Executive Officer

Ronald Blok joined Rabobank International in 1992, and has worked primarily in international positions with the bank in Singapore, Chile, Germany, Poland, London and the United States. Since January 2006, he has served as Chief Executive Officer at Rabobank, N.A., based in Roseville, CA. His responsibilities include overseeing all activities of Rabobank, N.A., including retail banking, community banking, agricultural banking, small-medium size business banking, commercial real estate, and treasury services in California. Blok is a member of the board of directors and the Compliance Committee, Audit Committee and Credit Committee for Rabobank, N.A., a board member of Rabo AgriFinance, Inc., and a member of the Rabobank International-Americas Executive Committee.

Richard (Rick) Arredondo, President, Rabobank, N.A.

Rick Arredondo is President of Products and Services for Rabobank, N.A. Arredondo joined Rabobank in February 2004 as head of Community Banking, and was named President in November 2005. He also serves on the board of directors of Rabobank, N.A. During the course of his 30-year career in banking, Arredondo has directly managed several key functions including human resources, branch administration, information technology, budgets, audit, compliance and development of products and services.

James (Jim) Lokey, President, Rabobank, N.A.

Jim Lokey is President of Community Banking for Rabobank, N.A. He joined Rabobank in 2006, when Rabobank purchased Mid-State Bank & Trust, where Lokey served as President and Chief Executive Officer. At Rabobank, Lokey oversees the bank's retail banking operations as well as marketing, community reinvestment and business lending.